

VIA FACSIMILE: (571) 273-8300
Date of Deposit: February 3, 2009

Atty. Docket No.: CST-213
PAIR Customer No.: 31012

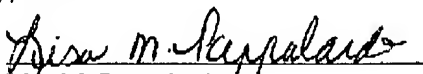
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE FEB 03 2009

In re Application of: Bacus, et al.
Application Serial No.: 10/735,118
Filing Date: December 11, 2003
Title: Method For Predicting Response to Her-2 Directed Therapy
Examiner: Goddard, Laura B.
Art Unit: 1642
Atty. Docket No.: CST-213
Confirmation No.: 4570

CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8

I hereby certify that this correspondence, and any documents referred to as attached hereto, is/are being transmitted to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, Central facsimile number: (571) 273-8300 on this 3rd day of February, 2009.


Lisa M. Pappalardo

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.136(a)

This petition is filed concurrently with a response to the Office Action of September 4, 2008 in the above-identified application. Applicants hereby petition for a four (4) month extension of time to respond. With the extension, the response is due on or before February 4, 2009.

02/04/2009 VBUI11 00000021 501774 10735118
01 FC:2254 865.00 DA

Serial No. 12/074,876
Petition Under 37 CFR § 1.78(a)

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The Commissioner is hereby authorized to charge \$865.00 (small entity) as required by 37 C.F.R. §1.17(a)(4) as well as any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-1774, Reference No. CST-213.

Respectfully submitted,



Andrew J. Warner, Reg. No. 56,049
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Dated: February 3, 2009